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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|-------------------------------------|-----------------|--------------|
| Applicant: | DANIEL ET AL. | Examiner: | NGUYEN, V. |
| Serial No.: | 09/735,332 | Group Art Unit: | 3731 |
| Filed: | DECEMBER 12, 2000 | Docket No.: | 1001.1351106 |
| Title: | DISTAL PROTECTION DEVICE AND METHOD | | |

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RESPONSE

TECHNOLOGY CENTER R3700

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EL799290733US, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231 on this 4th day of September, 2002.

By _____

JoAnn Lindman
JoAnn Lindman

BOX AMENDMENT

Assistant Commissioner for Patents
Washington D.C., 20231

Dear Sir:

In response to the Office Action dated May 17, 2002, please consider the following remarks:

Remarks

Applicants have carefully reviewed the office action dated May 17, 2002. Claims 31-36 remain pending.

Claims 31-36 are rejected under 35 U.S.C. §102(b) as being anticipated by Maahs in U.S. Patent No. 5,846,260. Maahs discloses a cannula that includes a filtering device. As it can be seen in Figures 4 and 5, the cannula is configured so that when it is disposed in a blood vessel, it is oriented perpendicularly to the blood vessel. The filtering device can then be passed through the side port and then become disposed within the vessel to filter debris. When the filter is